

CHAPTER 229

NOTARIES PUBLIC

H. F. 38

AN ACT to amend, revise and codify sections six hundred ninety-four (694), six hundred ninety-eight (698), seven hundred (700) and seven hundred three (703) of the compiled code of Iowa, relating to notaries public.

Be it enacted by the General Assembly of the State of Iowa:

That section six hundred ninety-four (694) of the compiled code of Iowa is amended, revised and codified to read as follows:

- 1 **SECTION 1. Appointment.** The governor may at any time appoint
- 2 one (1) or more notaries public in each county and may at any time
- 3 revoke such appointment.

[C. C. 694.]

- 1 **SEC. 2. When appointments made.** Such appointments, if for a
- 2 full term, shall be made on July fourth, nineteen hundred twenty-four
- 3 (1924), and on the same day each three (3) years thereafter. All
- 4 commissions shall expire on the fourth day of July in the same years.
- 5 No commission shall be for a longer period than three (3) years.

[C. C. 694.]

- 1 **SEC. 3. Notice of expiration of term.** The governor shall, on or
- 2 before May first preceding the expiration of each commission, notify
- 3 each notary public of such expiration and furnish him with a blank
- 4 application for reappointment and a blank bond.

[C. C. 694.]

That section six hundred ninety-eight (698) of the compiled code of Iowa is amended, revised and codified to read as follows:

- 1 **SEC. 4. Powers within county of appointment.** Each notary is in-
- 2 vested, within the county of his appointment, with the powers and
- 3 shall perform the duties which pertain to that office by the custom
- 4 and law of merchants.

[C. C. 698.]

- 1 **SEC. 5. Powers within adjoining county.** Such notary public is
- 2 also invested with the powers specified in the preceding section in
- 3 any county adjoining the county of his appointment, provided he has
- 4 filed in such adjoining county, with the clerk of the district court, a
- 5 certified copy of his certificate of appointment.

[C. C. 698.]

- 1 **SEC. 5-a. Powers in certain cases.** Any notary public, who is at
- 2 the same time an officer, director or stockholder of a corporation, is
- 3 also hereby invested with the power to administer oaths to any officer,
- 4 director or stockholder of such corporation in any matter wherein
- 5 said corporation is interested, and is hereby authorized to protest for
- 6 nonacceptance or nonpayment, bills of exchange, drafts, checks, notes
- 7 and other negotiable or nonnegotiable instruments which may be

8 owned or held for collection by such corporation, as fully and effectually as if he were not an officer, director or stockholder of such corporation.
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1 **SEC. 6. Improperly acting as notary.** If any notary public exercise the duties of his office after the expiration of his commission, or
2 when otherwise disqualified, or appends his official signature to documents when the parties have not appeared before him, he shall be
3 fined not less than fifty dollars (\$50.00), and shall be removed from
4 office by the governor.
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[C. C. 698.]

That section seven hundred (700) of the compiled code of Iowa is amended, revised and codified to read as follows:

1 **SEC. 7. Records in case of death, resignation, or removal.** On the
2 death, resignation or removal from office of any notary, his records,
3 with all his official papers, shall, within three (3) months therefrom,
4 be deposited in the office of the clerk of the district court in the
5 county for which such notary shall have been appointed.

[C. C. 700.]

1 **SEC. 8. Neglect of notary to deposit records.** If any notary, on
2 his resignation or removal, neglects for three (3) months so to deposit them, he shall be guilty of a misdemeanor and be liable in an
3 action to any person injured by such neglect.
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[C. C. 700.]

1 **SEC. 9. Neglect of executor to deposit records.** If an executor or
2 administrator of a deceased notary wilfully neglects, for three (3)
3 months after his acceptance of that appointment, to deposit the
4 records and papers of a deceased notary which came into his hands
5 in said clerk's office, he shall be held guilty of a misdemeanor.

[C. C. 700.]

That section seven hundred three (703) of the compiled code of Iowa is amended, revised and codified to read as follows:

1 **SEC. 10. Notary fees.** Notaries public shall be entitled to the following fees:
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3 1. For all services in connection with the legal protest of a bill or
4 note, two dollars (\$2.00).

5 2. For being present at a demand, tender or deposit and noting
6 the same, seventy-five cents (75c).

7 3. For administering an oath, ten cents (10c).

8 4. For certifying to an oath under his official seal, twenty-five
9 cents (25c).

10 5. For any other certificate under seal, twenty-five cents (25c).

[C. C. 703.]

Approved March 8, A. D. 1923.